IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 594 OF 2006

MR. RODGI MALLIKARJUNA AMRAPPA (DECEASED) BY HIS LR'S ....Petitioner

Versus

CHOWGULE AND COMPANY LIMITED ....Respondent

Mr. N. Costa Frias, Advocate for the petitioner.

Mr. S. D. Lotlikar, Senior Adovcate with Mr. Marvin D'Souza, Advocate for the respondent.

Coram:- S.K. SHAH, J.

Date:- 8th February, 2007

P.C.

Heard Counsel on both sides. This writ petition is filed by the petitoner against the order passed by the Civil Judge, Jr. Division, on 12.3.2001 whereby he deleted issue No.3, on an application having been made by the plaintiff. The reasons for deletion was that the petitioner had already filed an application before the Mamlatdar for his registration as mundkar. That application was rejected by the Mamlatdar. The applicant filed an appeal before the Deputy Collector. That appeal was also dismissed.

2. In the application before the Mamlatdar, the petitioner had raised the allegation that he was inducted by the representative of the plaintiff (respondent herein). The Mamlatdar as well as the Dy. Collector have held that there was no relationship of mundkarship between the petitioner and the respondent as the petitioner was inducted in the premises as the respondent's labourer. Even, otherwise, a perusal of the W.S. discloses that no particulars were given as to how and when the petitoner became the mundkar of the original Owner Tukaram Gaonkar.

Under the circumstances, I do not find any merit in the petition. The writ petition is dismissed.

S.K. SHAH, J.

ssm.